IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.253 OF 2006
ALONG WITH
CIVIL APPLICATION NO.327 OF 2006

Ashok Sharma & Anr. ... Appellants

Vs.

Mumbai Labour Union & Ors. ... Respondents

Mr. Prakash G. Lad for the appellants.

Mr. K.S. Bapat for respondents 3 to 6.

CORAM : A.M. KHANWILKAR, J.

DATED : 10TH JULY, 2006.

P.C.:-

Heard counsel for the parties. I see no propriety to entertain this appeal as it is directed against order refusing grant of ad-interim order passed by the City Civil Court in S.C. Suit No.292 of 2006. The court below has recorded that the undertaking filed by the defendants is accepted and, therefore, there was no requirement of granting separate ad-interim order. That is a plausible view. Accordingly, no interference is warranted. However, the trial court is directed to dispose of Notice of Motion No.368 of 2006 expeditiously as possible, preferably by the end of October, 2006.

At this stage, counsel for the appellants submits that the trial court be

directed to decide the Notice of Motion uninfluenced by the observations made in the impugned order and/or for that matter, in the present order. Needless to observe that the observations made in both these orders are only to consider prayer of ad-interim relief. The Notice of Motion has to be decided on its own merits.

The appeal from order as well as the civil application are disposed of in the aforestated terms.

[A.M. KHANWILKAR, J.]